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26. (Amended) The apparatus of claim 24, further comprising:
a selector for selecting a full data rate or one of the outputs from [the] said first, second
and third pre-processing units according to [the selection information] an output from said
decision unit; and
a Viterbi decoder for Viterbi decoding only the output [from a pre-processing unit,]
selected by the selector.

Please add the following claims:

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--27. A variable-rate communications system capable of determining a data reception rate, comprising:
a first pre-decoder which receives data at a first data rate and pre-decodes the data;
a first encoder which receives an output from said first pre-decoder and re-encodes the pre-decoded data;
a first comparator which receives and compares the re-encoded data from said first encoder and the data having the first data rate;
a first counter which receives an output from said first comparator and counts the number of errors resulting from the comparison;
a second pre-decoder which receives data at a second data rate and pre-decodes the data;
a second encoder which receives an output from said second pre-decoder and re-encodes the pre-decoded data;
a second comparator which receives and compares the re-encoded data from said second encoder and the data having the second data rate;
a second counter which receives an output from said second comparator and counts the number of errors resulting from the comparison; and
a decision unit which receives an output from said first and second counters and decides which data rate has the least symbol error rate.

28. The apparatus of claim 27, further comprising a first pre-processing unit preceding said second pre-decoder.

29. The apparatus of claim 28, wherein said first pre-processing unit is implemented with a summer, a combiner or a selector.

30. The apparatus of claim 27, further comprising:
a third pre-decoder which receives data at a third data rate and pre-decodes the data;
a third encoder which receives an output from said third pre-decoder and re-encodes the pre-decoded data;
a third comparator which receives and compares the re-encoded data from said third encoder and the data having the third data rate; and
a third counter which receives an input from said third comparator and counts the number of errors resulting from the comparison;
wherein an output from said third counter is inputted to said decision unit.

31. The apparatus of claim 30, further comprising a first pre-processing unit preceding said second pre-decoder.

32. The apparatus of claim 31, further comprising a second pre-processing unit preceding said third pre-decoder.

33. The apparatus of claim 32, wherein said first and second pre-processing units are implemented with a summer, a combiner or a selector.

34. The apparatus of claim 30, further comprising:
a fourth pre-decoder which receives data at a fourth data rate and pre-decodes the data;
a fourth encoder which receives an output from said fourth pre-decoder and re-encodes the pre-decoded data;
a fourth comparator which receives and compares the re-encoded data from said fourth encoder and the data having the fourth data rate; and
a fourth counter which receives an output from said fourth comparator and counts the number of errors resulting from the comparison;
wherein an output from said fourth counter is inputted to said decision unit.